THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.13905 OF 2007

ORAL ORDER:

This writ petition is filed seeking a declaration that the order passed by the 1st respondent dated 27.4.2007 in I.A.No.28 of 2007 in R.P.No.28 of 2007 on his file, as arbitrary and illegal.

As could be seen from the material on record, aggrieved by the appointment of the petitioners herein as Members of the Trust Board to Radha Madhava Swamy Temple, Pennabaddavolu, Kaluvaya Mandal, Nellore District, the respondents 3 to 8 herein filed a Revision Petition before the 1st respondent. The 1st respondent having entertained the Revision Petition, by order dated 27.4.2007, granted interim stay of the order under which Board of Trustees was constituted, and posted the main Petition to 15.6.2007 for appearance of the respondents therein. Hence, this writ petition.

Heard both the parties.

Admittedly, the impugned order is only an *ad interim order* and the petitioners have been given an opportunity to enter their appearance and to file their counter. Hence, the petitioners ought to have appeared before the 1st respondent and contested the matter on merits. Since the impugned order is not a final order, it is neither proper nor necessary for this Court to entertain this writ petition under Article 226 of the Constitution of India and express any opinion on merits.

Accordingly, the writ petition is disposed of with a direction to the 1st respondent to dispose of I.A.No.28 of 2007 after hearing both the parties and pass appropriate orders on merits, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order. No costs.

2nd July, 2007. **(G. ROHINI, J.)**

Issue CC in three days.

(Bo)

Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.13905 OF 2007

2nd July, 2007.

Between:

Meka Sugunamma and others. ..Petitioners.

And

Regional Joint Commissioner
Endowments, Multi Zone II,
Tirupathi and others. .. Respondents.